

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE****RECEIVED
CENTRAL FAX CENTER****Patent Application****SEP 17 2007**

Inventor(s): Ramachendra P. Batni et al.
Case No.: LUC-454/Batni 4-5-3
Serial No.: 10/767,101
Filing Date: 01/28/2004
Title: CALL TRIGGERING TO ONE OR MORE SERVICE NODES UPON
RECEIPT OF INITIAL TRIGGER RESPONSE

Examiner Marisol Figuerosa
Art Unit: 2617

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to Commissioner for Patents, Mail Stop Amendment, Group Art Unit 2617, Attention: Examiner Marisol Figuerosa, P.O. Box 1450, Alexandria, VA 22313-1450, at fax number (571) 273-8300, on September 17, 2007.



Carmen B. Patti
Attorney for Applicants
Reg. No. 26,784

Date of Signature: September 17, 2007

Commissioner for Patents
Mail Stop Amendment
Group Art Unit 2617
Attention: Examiner Marisol Figuerosa
P.O. Box 1450
Alexandria, VA 22313-1450
Fax Number (571) 273-8300

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

Applicants request review of the final rejection of this application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated on the attached sheets.

REMARKS

Applicants request Pre-Appeal Brief Review of the Final Office Action for the reasons stated below.

Rejections Under 35 U.S.C. § 103 (a)

Claims 1-2, 11-17 and 21-22 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent Number 6,236,857 B1 issued to Calabrese et al. on May 22, 2001 in view of U.S. Patent Number 5,999,610 issued to Lin et al. on December 7, 1999 and U.S. Patent Number 5,898,917 issued to Batni et al. on April 27, 1999.

Claims 3, 8 and 10 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni, and further in view of U.S. Patent Application Number 2005/0262020 A1 issued to Karlsson dated November 24, 2005.

Claims 4, 5 and 18 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of to Lin and Batni, and Karlsson, and further in view of U.S. Patent Number 6,075,982 issued to Donovan et al. on June 13, 2000.

Claims 6 and 7 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni and Karlsson, and further in view of U.S. Patent Application Number 2004/0240646 A1 issued to O'Donnell dated December 2, 2004.

Claim 9 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Karlsson, and further in view of U.S. Patent Number 5,835,856 issued to Patel on November 10, 1998.

Claims 19 and 20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni and Karlsson, and further in view of Donovan, and further in view of U.S. Patent Application Number 2004/0240646 A1 issued to O'Donnell dated December 2, 2004.

Claim 23 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of McConnell and Batni.

Rejection Under Calabrese, Lin and Batni

Claims 1-2, 11-17 and 21-22 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni.

Applicants respectfully traverse this ground of rejection for the following reasons.

First, applicants' claim 1 recites,

"an originating mobile switching center that handles one or more calls;

a serving mobile switching center coupled to the originating mobile switching center, wherein the serving mobile switching center for a communication device on a call of the one or more calls passes control of the call to the originating mobile switching center; and

a service node coupled to the originating mobile switching center, wherein the originating mobile switching center triggers the call to the service node, and wherein the service node sends an initial trigger response to the originating mobile switching center that instructs the originating mobile switching center to redirect the call, and wherein the initial trigger response arms one or more triggers that support one or more services for the communication device; and

wherein the one or more triggers comprise one or more of one or more switch based triggers and one or more subscriber based triggers exclusive of Calling_Routing_Addresss_Available, OAnswer, and ODisconnect triggers; and

wherein the one or more subscriber based triggers comprise one or more of Origination_Attempt_Authorized, Collected_Information, and Analyzed_Information triggers; and

wherein the originating mobile switching center encounters the one or more subscriber based triggers prior to the Calling Routing Addresss Available trigger"

As stated in the Office Action, Calabrese and Lin do not teach or suggest this limitation. Moreover, applicants note that Batni does not teach or suggest the limitation either. Instead, Batni discloses a MSC 1 in a cellular network that is a serving MSC to mobile subscribers. MSC 1 processes triggers when a mobile subscriber in its serving area dials a digit sequence beginning with the "#" character, as stated in column 4, lines 5-15. Thus, if a mobile subscriber sends a digit sequence beginning with "#" and both an office-based trigger for the digit sequence and a subscriber-based "#" trigger are set, then the subscriber-based "#" trigger will be processed first, as stated in column 4, lines 55-59.

By contrast, the serving mobile switching center of applicants' claim 1 does not process triggers. Applicants' serving mobile switching center is coupled to an originating mobile switching center, and the serving mobile switching center "passes control of the call to the originating mobile switching center", as recited in applicants' claim 1. "The originating mobile switching center triggers the call to the service node", as recited in applicants' claim 1. Therefore, applicants' originating mobile switching center processes the triggers, rather than the serving mobile switching center. Thus, Batni is missing, "the originating mobile switching center encounters the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger".

Second, Batni fails to teach applicants' claim 1, because Batni requires the use of a modified subscriber-based trigger that begins with a "#" character. By contrast, applicants' claim 1 does not require a subscriber-based trigger that begins with a "#" character. Applicants' subscriber based triggers "comprise one or more of Origination_Attempt_Authorized, Collected_Information, and Analyzed_Information triggers" as recited in applicants' claim 1.

Third, the proposed combination of Calabrese with Lin and Batni fails to teach applicants' claim 1, because applicants' claim 1 requires the use of only **one** originating mobile switching center. By contrast, the Examiner proposes to use **two different** mobile switching centers in order to achieve applicants' claim 1. In particular, the Examiner proposes to use 1) Calabrese's Enhanced MSC to reject applicants' claim 1 limitations that recite "an originating mobile switching center that handles one or more calls ... " and 2) Batni's serving MSC to reject applicants' claim 1 limitation that recites "the originating mobile switching center encounters the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger". However, there is no way to combine these **two different** mobile switching centers so as to form applicants' recited "originating mobile switching center".

Accordingly, since a person skilled in the art would not look to combine the references as suggested and since the combination would not result in the invention as claimed, applicants submit that the combination and resultant rejection are improper, and therefore claim 1 is allowable over the proposed combination. Since claims 2-11

and 13-15 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 16 and 22-23 each have a limitation similar to that of independent claim 1, which was shown is not taught by the proposed combination. For example, Independent claims 16 recites, "encountering at the originating mobile switching center the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger" and claim 22 recites "means in the one or more media for encountering at the originating mobile switching center the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger" and claim 23 recites, "wherein the originating mobile switching center encounters one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger". The proposed combination of Calabrese with Lin and Batni does not teach or suggest these limitations for the above-mentioned reasons. Therefore, claims 16 and 22-23 are likewise allowable over the proposed combination. Since claims 17-21 depend from claim 16, these dependent claims are also allowable over the proposed combination.

Rejections Under Calabrese, Lin, Batni, Karlsson, Donovan, O'Donnell, Patel, and McConnell

Claims 3, 8 and 10 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni, and further in view of Karlsson.

Claims 4, 5 and 18 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni, and Karlsson, and further in view of Donovan.

Claims 6 and 7 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni and Karlsson, and further in view of O'Donnell.

Claim 9 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Karlsson, and further in view of Patel.

Claims 19 and 20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of Lin and Batni Karlsson, and further in view of Donovan et al., and further in view of O'Donnell.

Claim 23 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Calabrese in view of McConnell and Batni.

Applicants respectfully traverse these grounds of rejection for the following reasons.


These rejections are based on the rejection under Calabrese, Lin and Batni being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "wherein the originating mobile switching center encounters the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger", as recited in applicants' independent claims 1 and 23, and "encountering at the originating mobile switching center the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger" as recited in applicants' independent claim 16, and "means in the one or more media for encountering at the originating mobile switching center the one or more subscriber based triggers prior to the Calling_Routing_Addresss_Available trigger" as recited in applicants' independent claim 22, the combination of Calabrese, Lin, Batni, Karlsson, Donovan, O'Donnell, Patel, and McConnell does not supply this missing element. Thus, these combinations do not make obvious any of applicants' claims, all of which require the aforesaid limitation.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, he is invited to call applicants' attorney so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

By 
Carmen B. Patti
Attorney for Applicants
Reg. No. 26,784

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PATTI, HEWITT & AREZINA, LLC
Customer Number 47382